

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS - O/o CCLA - Sri M.A.Waheed, former Superintendent, NA Section, O/o CCLA (now retired) - Disciplinary proceedings initiated for not filing an affidavit in EP No.205/2000 in CS No.95/1976 before the Hon'ble High Court of Chennai - Charges framed - Explanation - Enquiry - Report Communicated - Explanation - Show Cause Notice - APPSC Concurrence - Imposing a punishment of 5% cut in pension for a period of six (6) months under rule 9 of A.P. Revised Pension Rules, 1980 - Orders - Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No. 87 .

Dated:19.01.2011

Read the following:

1. From CCLA Ref.No.E3/657/06-1, dt.10.05.2010.
2. Govt.Memo.No.22700/Vig.II(2)/2010-1, dt.21.6.2010.
3. Explanation of Sri M.A.Waheed, former Supdt. NA Section O/o CCLA (now retired) dt.29.6.10.
4. Govt.Memo.No.22700/Vig.II(2)/2010-2, dt.07.08.2010.
5. From CCLA Lr.No.E3/657/06-1, dt.31.8.2010.
6. Govt.Letter.No.22700/Vig.II(2)/2010-3, dt.18.9.2010 & 12.11.2010.
7. From Secretary, APPSC Lr.No.1372/RT-I/3/2010, dt.6.12.2010.

ORDER:-

In the reference cited, the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has stated that Sri M.A.Waheed, while he was working as Superintendent, NA Section O/o CCLA from 14.6.04 to 28.9.04 did not act promptly in filing of an affidavit in EP No.205/2000 in CS No.95/1976 on the file of Hon'ble High Court of Chennai for deletion of the name of the Chief Secretary, which resulted in issue of notice by the Hon'ble High Court of Chennai for attachment of Government properties.

2. On the above said irregularity, the Chief Commissioner of Land Administration has framed charges, among others, against Sri M.A.Waheed, former Superintendent, NA Section O/o CCLA vide his proc. dt.21.11.2006 and the charged officer has submitted his explanation stating that he has worked in the NA Section for a short period. During the short period, the file was never circulated to him and he was not aware of the contents of the file and requested to drop further action in the matter. After examining the explanations submitted by the charged officer among others, the Asst. Secretary (Coordination) O/o CCLA was appointed as Enquiry Officer and Addl.Asst. Commissioner (Settlements) as Presenting Officer to enquire into the matter. After conducting enquiry, the Enquiry Officer has submitted enquiry report and among others has stated that Sri M.A.Waheed, former Superintendent, NA Section O/o CCLA has not supervised his section work properly and also failed to guide his subordinate/ assistant in bringing/ circulating the most important issues to the notice of superior officers. As a superintendent he is responsible for all the files relating to the subjects allotted to the clerk under him and he must overhaul each seat in his section that all papers received have been got circulated to the higher officers. Hence, the charge is held proved.

3. A copy of the Enquiry Officer's report was communicated to the charged officer to offer his representation, if any, on the findings of the enquiry report as per rule 21 (2) of APCS (CCA) Rules, 1991 vide CCLA proc. dt.10.4.2010. The

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charged officer has submitted his representation dt.26.4.2010 stating that after Tottenham system was dispensed with subsequent to introduction of computer system, it is not possible to find out the cases pending from the year 2000 onwards, as the file in question never came to light when he was working in that section as superintendent and no evidence was gathered by the EO in his enquiry and examination or cross examination were not allowed in such cases. Hence, he has requested to exonerate him from the charges.

4. In the reference 1st read above, the Chief Commissioner of Land Administration, Hyderabad, while furnishing proposals, has stated that Sri M.A.Waheed, Superintendent retired from service and requested the Government to finalize the disciplinary proceedings against the retired employee.

5. After careful examination of the matter keeping in view the charges and findings of the enquiry report and explanation of the delinquent officer, have taken a provisional decision to impose a punishment of 5% cut in pension for a period of six (6) months on Sri M.A.Waheed, former Superintendent, NA Section O/o CCLA (now retired). Accordingly, a show cause notice was issued directing Sri M.A.Waheed, former Superintendent, NA Section, O/o CCLA (now retired) to submit his explanation to Government as to why the above punishment should not be imposed on him within 15 days from the date of receipt of this memo failing which further action will be taken basing on the material available in the records through the reference 2nd read above.

6. In the reference 3rd read above, Sri M.A.Waheed, former Superintendent, NA Section O/o CCLA (now retired) submitted his representation stating that the original Govt. memo pertaining to the subject matter in question was received by the concerned section during November, 2000 i.e. about four (4) years prior to his joining and afterwards the govt. DO letter dt.20.9.04 has come during his tenure as Supdt. for a short period of three months. He has also stated that as per the instructions of the then CCLA he has informed the Collector in person to take appropriate action for deleting the name of Chief Secretary by filing an affidavit before the Hon'ble High Court of Chennai and among certain things he has requested to drop further action in the matter.

7. After careful examination of the entire material and keeping in view the representation of the individual and hearing not found his explanation convincing, Government have concluded that because of his slack supervision the lacuna occurred. Hence, Government have decided to confirm the provisional decision and impose a punishment of 5% cut in pension for a period of six (6) months against Sri M.A.Waheed, former Superintendent, NA Section O/o CCLA (now retired), as there are no new grounds to consider his request.

8. In the reference 6th read above, the Secretary, APPSC was requested to place the proposal before the Commission and communicate its views in the matter. The Commission, in their letter 7th read above, has conveyed its concurrence for the proposed punishment of 5% cut in pension for a period of six (6) months against Sri M.A.Waheed, former Superintendent, NA Section, O/o CCLA (now retired).

9. Government, after careful examination of the entire matter, hereby impose a punishment of 5% (fix percent) cut in pension for a period of six (6) months against Sri M.A.Waheed, former Superintendent, NA Section, O/o CCLA (now retired).

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9. The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad is requested to take necessary action accordingly.

10. The personal files in respect of Sri MA Waheed, former Superintendent, NA Section, O/o CCLA (now retired) for the year 7.7.1983 to 24.2.1984 containing four (4) pages received through the reference 5th cited are herewith returned.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration, AP, Hyderabad.
Sri M.A.Waheed, former Supdt., NA Section, O/o CCLA (now retired)
through CCLA, AP, Hyderabad.
The Secretary, APPSC, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER